

REMARKS

Claims 1-21 are cancelled. New claims 22-42 are added. Applicants respectfully request reconsideration and allowance of the pending claims in view of the new claims and remarks made below.

CLAIM REJECTIONS – 35 USC §102

Claims 1-10, and 16-21 are rejected under 35 USC 102(e) as being anticipated by Bos et al. (US2004/0008669). Applicants respectfully traverse this rejection.

The Examiner alleges that the abstract, paragraphs [0007-0010], and [0052-0054], of Bos et al. discloses all the limitations recited in, for example, claim 1. Applicants respectfully disagree.

Applicants have cancelled claim 1 and replaced it with new claim 22.

As the Examiner has recognized, a preamble is generally not accorded any patentable weight. However, claim 22 recites, *inter alia*, “establishing, at a packet call controller, a bearer path between the end point and the second network when a call transfer request associated with the mobile station is received from the second network.” (Emphasis added.) In other words, the body of claim 22 recites method steps of transferring a packet switched call from the first network to the second network. Therefore, the content of the preamble in claim 22, for example, transferring a packet switched call from the first network to the second network, must be given patentable weight, as the body of the claim refers back to features in the preamble.

Bos et al. may disclose that a packet switched multimedia session is transferred to a circuit switched terminal. Paragraph [0053]. However, the Examiner will note that the initial packet switched multimedia session is between packet switched multimedia terminal 1 and terminating unit 4. In response to a setup message, the packet switched multimedia session is transferred from the packet switched multimedia terminal 1 and the terminating unit 4 to the circuit switched

terminal 5 and the terminating unit 4. Therefore, "The user of said packet-switched multimedia terminal 1 just needs to pick up said circuit switched call at said circuit switched terminal 5." (Emphasis added.) Paragraph [0053].

Applicants submit that Bos et al. teaches transferring a packet switched call between packet switched multimedia terminal 1 and a termination unit 4 to circuit switched terminal 5 and the termination unit 4.

For at least the reasons given above, Applicants submit that Bos et al. fails to teach all the limitations of claim 22. Dependent claims 23-36 are also patentable for at least the same reasons given above with respect to the patentability of base claim 1.

With regard to independent claim 37, please note that claim 37 similarly recites the patentable features of independent claim 22. Accordingly, claim 37 is also patentable for the same reasons given above with respect to the patentability of claim 22.

Dependent claims 38-42 are also patentable for at least the same reasons given above with respect to the patentability of base claim 37.

CLAIM REJECTIONS – 35 USC §103(a)

Claims 11-15 are rejected under 35 USC 103(a) as being unpatentable over Bos et al. in view of Kallio. (US 2004/0190498). Applicants respectfully traverse this rejection

Claims 11-15 (now claims 32-37) are allowable for depending on allowable base claim 22 as remarked above.

The Examiner relies on Kallio as teaching aspects of SIP INVITE requests and the handling thereof as recited in claims 32-37. However, even assuming Kallio supplies the teachings asserted by the Examiner and that one skilled in the art would have combined Kallio with Bos et al., the combination still fails to overcome deficiencies and/or the missing features in Bos et al. with respect to claim 22. Therefore, Bos et al. in view of Kallio does not render claim

22 obvious to one skilled in the art; and claims 32-37 are patentable for at least the same reasons as base claim 22.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of the present application are earnestly solicited.

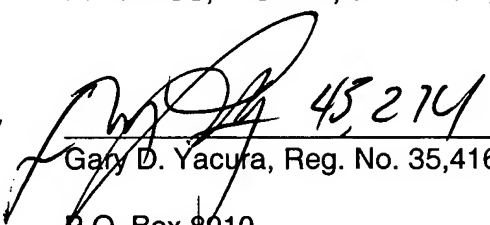
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

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